

BY REPRESENTATIVE CROMER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

To amend and reenact R.S. 18:103(A), 104(A)(15), and 105(A) and to enact R.S. 18:115.1, relative to registration of voters; to provide for electronic registration of voters; to provide relative to changes in registration; to provide relative to the powers and duties of the secretary of state; to provide relative to the powers and duties of registrars of voters; and to provide for related matters.

Section 1. R.S. 18:103(A), 104(A)(15), and 105(A) are hereby amended and reenacted and R.S. 18:115.1 is hereby enacted to read as follows:

A. Except as otherwise specifically provided by law, any person who meets the qualifications for voter registration and desires to register as an elector shall do so by making application in person to a registrar or deputy registrar of the parish in which he seeks to register, by submission of the federal postcard application form as authorized in this Code, by application through the Department of Public Safety and Corrections, by application through designated voter registration agencies, electronically on the secretary of state's website if the person holds a valid Louisiana driver's license or Louisiana special identification card issued pursuant to R.S. 40:1321, or by mail using the national voter registration form as promulgated by the Federal Election Commission, the state mail voter registration form, or a computer-generated form thereof containing the same requests for registration as prescribed by R.S. 18:104 or as contained on the Federal Election Commission voter registration form.

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§104. Application for registration; form

A. The secretary of state, subject to approval by the attorney general as to content, shall prescribe the form that shall be used uniformly by each registrar in the state and any person authorized to accept voter registration applications in registering qualified citizens to vote. The form shall contain spaces for at least the following information with respect to the applicant:

* * *

(15) The application form also shall inform the applicant of the penalty for violation of applicable laws relating to registration of voters and shall contain an affidavit to be subscribed, through a handwritten signature, before the registrar, deputy, or any person authorized to accept voter registration applications attesting that the applicant is a United States citizen and that the facts given by him on this application are true to the best of his knowledge and belief. When the registration application is completed at the office of motor vehicles of the Department of Public Safety and Corrections or electronically on the secretary of state's website, an electronically captured signature of the applicant may suffice as a handwritten signature of the applicant.

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§105. Establishment of identity; proof of naturalization of foreign-born applicant

A. Except as otherwise provided by the laws governing absentee registration, electronic registration, and mail registration, each applicant shall establish his identity, age, and residency. The registrar or any person authorized to accept voter registration applications shall require the applicant to submit his current Louisiana driver's license, if he has one, or his birth certificate, or other documentation which reasonably and sufficiently establishes the applicant's identity, age, and residency. A birth certificate shall ~~only be used~~ be used only to establish the applicant's identity and age. For the purposes of this Subsection, a short-form birth certification card shall be acceptable as a birth certificate. If the registrar or any person authorized to accept voter registration applications has good reason to believe that the applicant is not the person he represents himself to be or is not qualified to register as provided

1 in R.S. 18:101, he shall require the applicant to produce two witnesses who reside
2 in his precinct to make oath to establish his identity, age, and residency.

3 * * *

4 §115.1. Electronic registration

5 A. A person who has a valid Louisiana driver's license or Louisiana special
6 identification card issued pursuant to R.S. 40:1321 may apply to register to vote or
7 make changes to his existing registration by completing and submitting an electronic
8 voter registration application on the secretary of state's website.

9 B. The secretary of state shall design and implement a system to allow for
10 electronic voter registration as provided in this Section.

11 C.(1) The electronic voter registration application shall contain spaces for
12 the information required pursuant to R.S. 18:104, except that the applicant shall
13 attest that the facts given by him on the application are true to the best of his
14 knowledge and belief, and such attestation shall take the place of the affidavit
15 required pursuant to R.S. 18:104(A)(15).

16 (2) The applicant shall assent to the use of his Louisiana driver's license or
17 Louisiana special identification card signature for voter registration purposes.

18 (3) The applicant shall not be allowed to submit the application unless it is
19 complete.

20 (4)(a) Immediately upon submission of the application, the information
21 submitted by the applicant shall be checked to ensure that the Louisiana driver's
22 license number or Louisiana special identification card number submitted by the
23 applicant matches the information maintained by the Department of Public Safety
24 and Corrections.

25 (b) If a match is made, the secretary of state shall electronically forward the
26 information provided in the application, along with a digital copy of the applicant's
27 signature obtained from the Department of Public Safety and Corrections, to the
28 appropriate registrar of voters to determine the eligibility of the applicant in
29 accordance with Chapter 4 of this Title. The applicant shall be immediately
30 informed that his application has been electronically forwarded to the appropriate

1 registrar of voters, but that the applicant will not be officially registered to vote or
2 that changes to his existing registration will not be made until his application is
3 received and approved by the registrar of voters.

4 (c) If a match cannot be made, the secretary of state shall not electronically
5 forward the application. The applicant shall be immediately informed that his
6 application cannot be processed, and he shall be instructed to print his completed
7 application and mail it to the registrar of voters for the parish in which the applicant
8 resides.

9 D. An electronic voter registration application shall be deemed to have been
10 made as of the date the applicant is informed pursuant to Subparagraph (C)(4)(b) of
11 this Section that his application has been electronically forwarded to the appropriate
12 registrar of voters by the secretary of state.

13 E. The secretary of state may employ additional security measures to ensure
14 the accuracy and integrity of electronic voter registration applications.

15 F. Except as otherwise specifically provided, an electronic voter registration
16 application electronically forwarded by the secretary of state shall be considered, for
17 purposes of this Title, an application for registration by mail.

18 G. Each registrar of voters shall maintain such statistical records on
19 electronic voter registration applications as requested by the secretary of state.

20 Section 2. This Act shall become effective April 1, 2010.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____